

MODEL



Iowa Department of Transportation

PROTEST PROCEDURE

(Required for all procurements funded in whole or in part through the Iowa DOT, Office of Public Transit)

Anyone wishing to file a protest concerning the specifications or the bid procedure must do so in writing. This written protest must be received by _____
(System Name)
at _____
(System Address)
no later than 72 hours prior to bid opening. If protests are received that cannot be resolved by the designated time for bid opening, _____ shall delay the bid
(System Name)
opening until the protest is resolved. However, the decision must be issued in writing by _____
(System Name) within no more than _____ working days from the date the written protest was received.

If anyone wishes to protest some aspect of this procurement other than specifications or bid procedure, or something about the bid procedure that only becomes evident after the bid opening, they must file the protest in writing. This written protest must be received by _____
(System Name)
no later than _____ working days after _____
(System Name)
notification to all bidders of their contract award decision, and _____
(System Name)
must issue its written decision within no more than _____ working days from the day the written protest was received.

If a protester feels that _____ has not followed these
(System Name)
protest procedures, the protester has 10 working days from the alleged infraction to file a subsequent protest with the Iowa Department of Transportation. The Iowa Department of Transportation will issue its written decision within 20 working days of receipt of such an appeal. Any further appeal at the state level must be in accordance with Chapter 17A of the Iowa Code.

PROTEST PROCEDURE

Specifications/Approved Equals:

Anyone wishing to file a protest concerning the specifications must do so in writing. _____
(Transit System)
located at _____ must receive the written protest by
(Address)
_____ will issue its written decision on the protest
(Date) (Transit System)
by _____. If anyone wishes to protest the specification or approved equals or clarifications
(Date)
decision, they must file the protest in writing to the Iowa Department of Transportation.

The Iowa Department of Transportation must receive the written protest within five (5) business days of
_____ issuing its intent to award contract (scheduled for _____). A concurrent
(Transit System) (Date)
letter on the protest must be sent to _____. The Department of Transportation will
(Transit System)
issue its written decision on any timely protest by _____. If the Iowa Department of
(Date)
Transportation upholds the protest, the contract award will be withheld until a solution is determined and the
price bid by all firms will be held valid until that time.

Protest of Contract Award:

Anyone wishing to file a protest concerning the contract award must do so in writing. _____
(Transit System)
must receive this written protest no more than five (5) working days after the bid award on _____.
(Date)
_____ will issue its written decision on the protest by _____. If anyone
(Transit System) (Date)
wishes to protest the decision, they must submit such protest in writing to the Iowa Department of
Transportation. The Iowa Department of Transportation, Office of Public Transit, must receive this written
protest by _____. A concurrent letter on the protest must be sent to _____. The
(Date) (Transit System)
Department of Transportation will issue its written decision on any timely protest within ten (10) business
days. Any further appeal at the state level must be in accordance with Chapter 17A of the Code of Iowa.

A protester must exhaust all administrative remedies with _____ and then with the Iowa
(Transit System)
DOT before pursuing a protest with the Federal Transit Administration (FTA). Reviews of any protest filed
with the FTA will be limited to review of whether _____ or the Iowa DOT, as the Grantee, failed
(Transit System)
to have or follow its protest procedures, or failed to review a complaint or protest. An appeal to FTA must be
received by the cognizant FTA Regional [901 Locust Street, Kansas City, Suite 404, MO 64106] or
Headquarters Office within five (5) working days of the date the protester knew or should have known of the
violation. Any protest filed with FTA shall also be sent simultaneously to _____ and the Office of
(Transit System)
Public Transit of the Iowa DOT. Any allegation that a violation of Federal law or regulation may have
occurred shall be handled by the complaint process stated within that law or regulation. Violations of State or
local law or regulations will be handled under the jurisdiction of Iowa or local authorities.